UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA (SAN JOSE DIVISION) FINJAN LLC, a Delaware Limited Liability Company, Plaintiff, v. SONICWALL INC., a Delaware Corporation, Defendant. 

Case No. 5:17-cv-04467-BLF (VKD)

[PROPOSED] ORDER GRANTING FINJAN LLC'S OMNIBUS ADMINISTRATIVE MOTION TO FILE **UNDER SEAL** 

> Case No. 5:17-cv-04467 BLF (VKD) [PROPOSED] ORDER GRANTING FINJAN ADMIN. MOTION TO FILE UNDER SEAL

Plaintiff Finjan LLC's Omnibus Administrative Motion to File Under Seal portions of Finjan LLC's Motion to Preclude Trial Testimony from Stephen Becker, Ph.D and portions of Finjan LLC's Motion To Preclude Trial Testimony Relating to Written Description was brought before this Court. Upon consideration of this motion and the supporting declaration of K. Nicole Williams filed in support of the motion, the Court finds that good cause and compelling reasons exist for sealing certain documents.

Good cause and compelling reasons having been shown, the Court finds that there exist overriding confidentiality interests that overcome the right of public access to the record for the subject documents as follows:

ECF or	Document	Portion(s) to Seal	Reason(s) for Sealing
Exh. No.	7: 1 77 6: 17		
ECF 348	Finjan LLC's Motion To Preclude Trial Testimony Relating to Written Description	Highlighted portions at page 2, lines 21-22; page 3, lines 16-19, 21-22; page 4, line 8	The highlighted portions of this document reflect information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order (ECF No. 68), and from which confidential information regarding SonicWall's accused products could potentially be discerned.
Exh. A (ECF 348-2)	Excerpts from the Expert Report of Dr. Avi Rubin Regarding Invalidity of U.S. Patent No. 8,225,408, U.S. Patent No. 7,975,305, U.S. Patent No. 7,613,926 and U.S. Patent No. 6,965,968 dated September 4, 2020	Entirety	This document reflects information SonicWall has designated "Highly Confidential – Attorneys' Eyes Only" pursuant to the Stipulated Protective Order.
Exh. B (ECF 348-3)	Excerpts from the Expert Report of Dr. Kevin Almeroth on Invalidity of U.S.	Entirety	This document was designated by SonicWall as "Highly Confidential – Attorneys' Eyes Only"

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1		Patent Nos. 6,154,844 and 8,141,154 dated		pursuant to the Stipulated Protective Order.
2		September 4, 2020		1100001110 010011
3	Exh. C (ECF	Excerpts from the Expert Report of Dr.	Entirety	This document was designated by SonicWall as
5	348-4)	Patrick McDaniel Regarding the		"Highly Confidential – Attorneys' Eyes Only"
6		Invalidity of the '494 and '780 Patents dated September 4, 2020		pursuant to the Stipulated Protective Order.
7	Exh. D (ECF	Excerpt from the Deposition Transcript	Entirety	This deposition transcript was designated by
8	348-5)	of Avi Rubin, Ph.D.		SonicWall as "Highly
9		taken October 29, 2020		Confidential" pursuant to the Stipulated Protective
10	Exh. F	Excerpt from the	Entirety	Order. This deposition transcript
11	(ECF	Deposition Transcript		was designated by
12	348-7)	of Patrick McDaniel, Ph.D. taken October		SonicWall as "Highly Confidential – Attorneys'
		23, 2020		Eyes Only" pursuant to the
13	EGE 250	E' ' H.C. M.	TT 11 1 . 1	Stipulated Protective Order.
14	ECF 350	Finjan LLC's Motion to Preclude Trial	Highlighted portions at page 3, lines 21-24;	The highlighted portions of this document reflect
15		Testimony from Stephen Becker, Ph.D.	page 4, lines 9-11	information SonicWall has designated "Highly
16		Stephen Becker, 1 m.2.		Confidential – Attorneys' Eyes Only" pursuant to the
17				Stipulated Protective Order,
18				and from which confidential information regarding
19				SonicWall's accused
20				products could potentially be discerned.
21	Exh. A (ECF	Excerpts from the Expert Report of	Entirety	This document was designated by SonicWall as
22	350-2)	Stephen L. Becker,		"Confidential – Outside
23		Ph.D. on Behalf of Defendant dated		Counsel Only" pursuant to the Stipulated Protective
24		October 9, 2020		Order. Confidential information regarding
25				SonicWall's accused
26				products could potentially be discerned from this
27	Exh. B	Excerpts from the	Entirety	document. This document was
	(ECF	Errata to Expert Report	Zinnery	designated by SonicWall as
28	350-3)	of Stephen L. Becker,		"Confidential – Outside

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1		Ph.D. on Behalf of		Counsel Only" pursuant to
$_{2}$		Defendant dated		the Stipulated Protective
		October 28, 2020		Order. Confidential information regarding
3				SonicWall's accused
4				products could potentially be discerned from this
5				document.
6	Exh. C (ECF	Excerpts from the Deposition Transcript	Entirety	This deposition transcript was designated by
7	350-4)	of Stephen Becker,		SonicWall as "Confidential
		Ph.D. taken October		- Outside Counsel Eyes
8		29, 2020		Only" pursuant to the Stipulated Protective Order,
9				and from which confidential
10				information regarding
10				SonicWall's accused
11				products could potentially
12	Exh. D	Excerpts from the	Entirety	be discerned. This document reflects
12	(ECF	Expert Report of	Enthety	information SonicWall has
13	350-5)	DeForest McDuff,		designated "Highly
14		Ph.D. dated September		Confidential – Attorneys'
		4, 2020		Eyes Only" pursuant to the
15				Stipulated Protective Order, and from which confidential
16				information regarding
				SonicWall's accused
17				products could potentially
18		Di diceri i i i		be discerned.
	Exh. E	Plaintiff Finjan, Inc.'s	Entirety	This document reflects
19	(ECF 350-6)	Third Supplemental Objections and		information regarding Finjan's internal business
20	330 0)	Responses to		practices and licensing
21		Defendant SonicWall, Inc.'s First Set of		negotiations, which Finjan
22		Interrogatories (No. 6)		has designated "HIGHLY CONFIDENTIAL –
		dated July 31, 2020		ATTORNEYS' EYES
23				ONLY" under the Protective Order (ECF No. 68). Public
24				disclosure of this
25				information would cause harm to Finjan. <i>See</i>
26				Declaration of K. Nicole
				Williams in Support of
27				SonicWall's Administrative
28				Motion to File Under Seal ("Williams Decl.") ¶ 7.
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1				This document also reflects information SonicWall has	
2				designated "Highly	
3				Confidential – Attorneys' Eyes Only" pursuant to the	
4				Stipulated Protective Order,	
				and from which confidential	
5				information regarding SonicWall's accused	
6				products could potentially	
7	Exh. F	Excerpts from the	Entirety	be discerned. This document was	
8	(ECF	Supplement to Expert	Emercy	designated by SonicWall as	
9	350-7)	Report of Stephen L. Becker on Behalf of		"Confidential – Outside Counsel Only" pursuant to	
10		Defendant dated December 22, 2020		the Stipulated Protective Order. Confidential	
11		,		information regarding	
12				SonicWall's accused products could potentially	
				be discerned from this	
13				document.	
14	The C	Count also finds that a subst	antial muchability aviata th	at the assemiding confidentiality	
15	The Court also finds that a substantial probability exists that the overriding confidentiality				
16	interests will be prejudiced absent sealing, the sealing is narrowly tailored, and no less restrictive				
17	means exist to achieve these overriding interests.				
18	IT IS THEREFORE ORDERED that Finjan's Omnibus Administrative Motion to File				
19	Under Seal be, and hereby is, GRANTED with respect to the documents as set forth above.			iments as set forth above.	
20					
21	Dated:	Ву	7: Hon. Beth Labson Fr	raaman	
22	U.S. District Judge				
23					
24					
25					
26					
27					
28			4	Cose No. 5:17 ov 04467 DLE (VVD)	

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